

ALLEGED SHIPMENT: On or about January 26, 1951, by the McMahon Sales Co., from Cucamonga, Calif.

PRODUCT: 497 cases of tomato puree at Denver, Colo.

LABEL, IN PART: "For All Brand Tomato Puree Net Weight 6 lb., 8 oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. The cans contained less than the declared weight of 6 pounds, 8 ounces.

DISPOSITION: July 26, 1951. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that 62 cases be sold for use as animal feed and that 367 cases be relabeled under the supervision of the Food and Drug Administration to show the correct weight.

NUTS

17731. Adulteration of Spanish peanuts. U. S. v. 123 Bags * * *. (F. D. C. No. 31014. Sample No. 28187-L.)

LIBEL FILED: May 28, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about October 21, 1950, from Pearsall, Tex.

PRODUCT: 123 120-pound bags of Spanish peanuts at San Jose, Calif., in possession of the Chase Candy Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), the product had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 10, 1951. The Chase Candy Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for salvaging of the fit portion and conversion of the unfit portion into stock feed, under the supervision of the Food and Drug Administration. The rejected portion, amounting to 4,800 pounds, was denatured for use as animal feed.

17732. Adulteration of Spanish peanuts. U. S. v. 49 Bags * * *. (F. D. C. No. 30441. Sample No. 9873-L.)

LIBEL FILED: On or about February 26, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 8, June 27, and July 21, 1950, by the Gorman Peanut Co., from Gorman, Tex.

PRODUCT: 49 120-pound bags of Spanish peanuts at Chicago, Ill.

NATURE OF CHARGE: Adulteration. Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and dirt, and it was otherwise unfit for food by reason of the presence of stones and sand.

DISPOSITION: September 12, 1951. The sole intervener having withdrawn his appearance, a default decree of condemnation was entered and the court or-